

SEP 9 2019

Approved

**REQUEST FOR AGENDA PLACEMENT FORM**

Submission Deadline - Tuesday, 12:00 PM before Court Dates

**SUBMITTED BY:**

**TODAY'S DATE: 9-3-19**

**DEPARTMENT:**

**SIGNATURE OF DEPARTMENT HEAD:**

**REQUESTED AGENDA DATE: 9-9-19**

**SPECIFIC AGENDA WORDING:** Consideration to approve the Election Contract Agreement including Exhibit A, B, & C between Johnson County and Alvarado ISD for the November 5, 2019 Election.

**PERSON(S) TO PRESENT ITEM:** Patty Bourgeois

**SUPPORT MATERIAL: (Must enclose supporting documentation)**

**TIME: 1**

**ACTION ITEM:** \_\_\_\_\_

**WORKSHOP** \_\_\_\_\_

(Anticipated number of minutes needed to discuss item)

**CONSENT:** \_\_\_\_\_

**EXECUTIVE:** \_\_\_\_\_

**STAFF NOTICE:**

**COUNTY ATTORNEY:**  \_\_\_\_\_

**IT DEPARTMENT:** \_\_\_\_\_

**AUDITOR:** \_\_\_\_\_

**PURCHASING DEPARTMENT:** \_\_\_\_\_

**PERSONNEL:** \_\_\_\_\_

**PUBLIC WORKS:** \_\_\_\_\_

**BUDGET COORDINATOR:** \_\_\_\_\_

**OTHER:** \_\_\_\_\_

\*\*\*\*\*This Section to be Completed by County Judge's Office\*\*\*\*\*

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE \_\_\_\_\_

COURT MEMBER APPROVAL \_\_\_\_\_ Date \_\_\_\_\_

**ELECTION AGREEMENT  
FOR JOHNSON COUNTY AND ALVARADO INDEPENDENT SCHOOL DISTRICT  
NOVEMBER 5, 2019**

**THIS AGREEMENT is made and entered into this 29<sup>th</sup> day of August 2019, by and between the COUNTY OF JOHNSON, TEXAS, acting by and through the JOHNSON COUNTY ELECTIONS ADMINISTRATOR (hereinafter referred to as "COUNTY") and ALVARADO INDEPENDENT SCHOOL DISTRICT, acting by and through its Superintendent or his designee (hereinafter referred to as "ISD").**

**WHEREAS, the COUNTY will be conducting the "ISD" Special Election on November 5, 2019 for registered voters of Johnson County, Texas residing within ISD; and**

**WHEREAS, pursuant to Sec. 31.093, Texas Elections Code, the County Elections Administrator is required to enter into a contract with ISD to conduct and furnish election services for this November 5, 2019 Special Election of ISD; and**

**WHEREAS, ISD desires that the Johnson County Elections Administrator conduct and coordinate this election; NOW THEREFORE,**

**FOR AND IN CONSIDERATION of the mutual project referenced herein, the parties hereto agree to hold an election on November 5, 2019 from 7:00 a.m. until 7:00 p.m., in accordance with Section 271.002, Texas Election Code, and that said election to be conducted pursuant to the terms of this agreement.**

**I. AGREEMENT**

**GENERAL TERMS:**

- 1.01 On November 5, 2019, the election shall be held from 7:00 AM until 7:00 PM, that day, at the locations listed on Exhibit B.
- 1.02 The political subdivision participating in the election on November 5, 2019, shall have and use the election Judges and ES&S AutoMark voting equipment.

## II. JOHNSON COUNTY

- 2.01 The COUNTY agrees to coordinate, supervise, and conduct the Election, pursuant to the provisions of the Texas Election Code unless specifically provided otherwise in this Agreement with the understanding that the Election is only for the registered voters of Johnson County, Texas residing within the ISD.
- 2.02 The Elections Administrator shall perform the following duties:
- a. Designate voting locations and contact the owners or custodians of public (or if unavailable, private) buildings and arrange for their use. Such voting locations shall be furnished to ISD as soon as possible.
  - b. Appoint, notify, and train the presiding judges and alternate judges and clerks. The names and addresses of each judge and alternate judge and clerk shall be furnished to the ISD at a later date.
  - c. Compensate election judges, alternate judges and clerks.
  - d. Transport voting equipment to and from each polling location.
  - e. Rent, if necessary, voting locations.
  - f. Provide lists of registered voters to the election judges.
  - g. Preparation of programs and test materials for tabulation of the ballots to be used with electronic voting equipment in accordance with the provisions of the Texas Election Code and of this Agreement.
  - h. Publish notice of the date, time, and place of the testing of the electronic tabulation equipment and conduct such testing.

### **III. EARLY VOTING AND ELECTION DAY VOTING**

#### **3.01 Early Voting by Personal Appearance**

- a. The Elections Administrator, Patty Bourgeois shall serve as Early Voting Judge for the ISD Special Election and other judges and clerks shall be appointed by her as needed.
- b. Early Voting by personal appearance shall be conducted at the locations listed on Exhibit A. All eligible voters in ISD of Alvarado may vote early at the Alvarado Sub-Courthouse; 206 N. Baugh St., Alvarado, Texas 76009 or Pct. 3 Maintenance Facility; 10420 E. FM 917, Alvarado, Texas 76009
- c. Early Voting by personal appearance will begin on October 21, 2019, and will end on November 1, 2019. There will be no early voting on Saturdays, Sundays, or legal holidays, unless otherwise agreed to by the parties.
- d. Temporary extended hours at those sites listed as in sec: 85.005 of the Election Code.

#### **3.02 Early Voting By Mail:**

- a. The COUNTY shall be responsible for early voting ballot requests by mail.
- b. ISD shall forward any requests by mail applications to the COUNTY.
- c. The COUNTY shall be responsible for all preparation of mail ballots including mailing ballot to voter.

#### **3.03 The Ballot Board Judge for the ISD shall be as designated by the COUNTY. The Early Voting Ballot Board's duties will include:**

- (1) Serve as Signature Verification Committee
- (2) Prepare the mail ballots for tabulation.
- (3) Convene to count provisional ballots and late ballots from out of the country, if any. (7<sup>th</sup> day or earlier after Election Day).

#### **3.04 Election Day Voting:**

The COUNTY shall be responsible for the following:

- a. Procure, prepare, and distribute supplies and the ES&S AutoMark and other election equipment for personal appearance on Election Day.

- b. Procure, prepare, and distribute Election Day supplies, tables, chairs if needed, and equipment, including ballots.
  - c. Supervise the handling and disposition of election returns, tabulate unofficial returns, and assist in preparing the tabulation for the official canvass.
  - d. Prepare the canvass report after all precincts have been counted and make available a copy of the appropriate part of the tabulation report.
  - e. Conduct the manual count.
- 3.05 Serve as custodian of election records and store election records as provided by Section 66.058 of the Texas Election Code for a period of 22 months.

#### **IV. ISD**

ISD shall have the following responsibilities in conducting this election on November 05, 2019;

- 4.01 Prepare any election orders, resolutions, notices, writ of election, and other pertinent documents for adoption for execution by the appropriate officer; and take all actions required by law for calling the election, handling contests, canvassing the returns, and declaring the results of the election.
- 4.02 Prepare and publish information for the required election notice.
- 4.03 Deliver to the Elections Administrator the official wording, including Spanish translation, to be printed on the optical scan ballot.
- 4.04 Approve final optical scan ballot wording for content, form, and spelling.
- 4.05 Prepare and publish the Notice of Election, which is the required and described method of giving notice in accordance to Texas Election Code (Sec 4.003(a) (1).
- 4.06 Provide maps and other reference guides.

4.07 Pursuant to Texas Election Code Sec. 67.003, canvass the official results between the 3<sup>rd</sup> and 11<sup>th</sup> day following the election.

4.08 Provide presiding judges, alternate judges, and clerks for any vacant positions.

#### **V. PAYMENT FOR SERVICES**

5.01 In consideration for the services and expenses provided by the County for conducting this election, the County shall be reimbursed for the optical scan ballots, ballot layout, media, coding the ES&S AutoMark equipment, M650 optical scan equipment, voting supplies, Election Judges, Clerks, Central Count, Ballot board, a 10 % administration fee, and any other expenses listed on Exhibit C.

5.02 Should a recount be required, those costs associated with the recount, if any, shall be in accordance with the provisions of the Texas Election Code.

5.03 The official for parties to contact for all purposes shall be listed at the end of the Agreement. All notices and other deliveries under the Agreement shall be delivered to said individual so listed.

#### **VI. RUN-OFF ELECTION**

6.01 In the event there is a run-off election, this Agreement shall be extended for the time necessary to conduct the run-off election and the ISD and COUNTY agree to continue to perform their respective responsibilities as set forth in this Agreement as are applicable to a run-off election. ISD will be responsible for any and all additional costs associated with the run-off election incurred by COUNTY. Any additional costs owed to COUNTY by ISD will be invoiced by COUNTY and ISD agrees to pay said invoiced amount within thirty (30) days of receipt of the invoice from COUNTY.

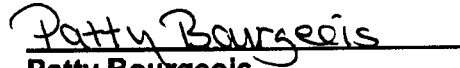
#### **VII. TERMINATION IF ELECTION IS CANCELED**

7.01 In the event that the election is canceled due to all candidates being unopposed, County and ISD agree that this Agreement will be terminated and ISD will owe a cancellation fee of \$75.00 to be paid by ISD within thirty (30) days of said cancellation.

**ACCEPTANCE:**


On behalf of Johnson County Elections Administration, I hereby accept the terms of the Agreement.

Signed the 29<sup>th</sup> day of August, 2019.

  
Patty Bourgeois  
Elections Administrator  
Johnson County, Texas

On behalf of Alvarado Independent School District, I hereby accept the terms of this Agreement.

Signed the 19 day of August, 2019.

  
Dr. Kenneth Estes, Alvarado  
Superintendent

IN WITNESS WHEREOF, the above Agreement was adopted at a meeting of the Commissioner's Court of Johnson County on the 9 day of September, 2019.

COUNTY OF JOHNSON

  
County Judge  
Johnson County Commissioners  
Court

Officials for notice:  
Patty Bourgeois  
Elections Administrator  
Johnson County  
P.O. Box 895  
Cleburne, Texas 76033

Dr. Kenneth Estes, Alvarado  
Superintendent  
102 S. Bill Jackson  
Alvarado, Texas 76009

**EXHIBIT A/B**  
**(ANEXO A/B)**  
**EARLY VOTING/ ELECTION DAY**  
**POLLING LOCATION**  
**ALVARADO ISD**  
**NOVEMBER 05, 2019**  
**SPECIAL ELECTION**  
**(VOTACIÓN ADELANTADA/DÍA DE ELECCIONES**  
**CENTRO DE VOTACIÓN**  
**ALVARADO ISD**  
**05 DE NOVIEMBRE DEL 2019**  
**ELECCIÓN ESPECIAL)**

**Exhibit A**  
**(Anexo A)**

October 21, 2019 through November 1, 2019 is the period for early voting by personal appearance (Sec. 85.001). Any voter qualified to vote in the November 5, 2019, Special Election is eligible for early voting by personal appearance.

Early voting by personal appearance will be conducted at the following locations:

Monday, October 21, 2019 – Friday, October 25, 2019 hours: 8:00 am until 5:00 pm

Monday, October 28, 2019 – Wednesday, October 30, 2019- hours: 8:00 am until 5:00 pm

Thursday, October 31, 2019 – Friday, November 1, 2019 hours: 7:00 am until 7:00 pm

*(Del 21 de Octubre del 2019 al 1 de Noviembre del 2019 es el período para la votación anticipada por apariencia personal (Sec. 85.001). Cualquier votante calificado para votar el 5 de Noviembre del 2019, La eleccione especial es elegible para la votación anticipada por apariencia personal. La votación anticipada por apariencia personal se realizarán la siguientes ubicaciones: Lunes, 21 de Octubre del, 2019 - Viernes, 25 de Octubre del 2019 horas: de 8:00 am a 5:00 pm Lunes, 28 de Octubre del, 2019 - Miércoles, 30 de Octubre del 2019 horario de: de 8:00 am a 5:00 pm Jueves, 31 de Octubre del 2019 - Viernes, 1 de Noviembre del 2019 horas: de 7:00 am a 7:00 pm)*

**Excluding Weekend Hours:**

*(Excluyendo Horario de fin de semana):*

**ALVARADO ISD**  
**EARLY VOTING LOCATION**  
**(ALVARADO ISD CENTRO DE VOTACIÓN**  
**ADELANTADA)**

**Alvarado Sub-Courthouse**  
206 N Baugh St.  
Alvarado, Texas 76009

**Pct. 3 Maintenance facility**  
10420 E. FM 917  
Alvarado, Texas 76009



**Exhibit B**  
*(Anexo B)*

**ALVARADO ISD**  
**ELECTION DAY LOCATIONS**  
*(Alvarado ISD Dia De Elecciones)*

**November 5, 2019 Hours for  
Election Day are 7:00 am. until 7:00 pm.**  
*(El 5 de Noviembre de 2019 horas para el  
día de las elecciones son las 7:00 am. hasta las 7:00 pm)*

- PCT. 8 & 35**                      **Pct. 3 Maintenance Facility**  
*(Centro de Mantenimiento del Recinto 3)*  
10420 E. FM 917  
Alvarado, Texas 76009
- PCT. 10**                              **Alvarado Sub-Courthouse**  
*(Alvarado sub-Palacio de justicia)*  
206 N Baugh St.  
Alvarado, Texas 76009
- PCT. 11**                              **Bethesda Baptist Church**  
*(Bethesda Iglesia Bautista)*  
100 W. Bethesda Rd.  
Burleson, Texas 76028
- PCT. 22**                              **Keene Community Center**  
*(Centro comunitario Keene)*  
100 N. Old Betsey Rd.  
Keene, Texas 76059
- PCT. 24 & 28**                      **Buel Baptist Church**  
*(Iglesia Bautista Buel)*  
4609 CR 317  
Cleburne, Texas 76031
- PCT. 25**                              **Venus Civic Center**  
*(Centro Civico Venus)*  
210 Walnut  
Venus Texas 76084
- PCT. 26 & 27**                      **Grandview Church of Christ**  
*(Iglesia de Cristo de Grandview)*  
707 E. Criner  
Grandview, Texas 76050

**Exhibit C**

COST OF SERVICE. The Alvarado Isd shall pay for services , supplies, and equipment in accordance with the following estimated cost schedule. The Alvarado Isd will be liable to pay all the expense that have endured; and a 10% administration fee. Shared cost lines (SC) will be divided after the election.

**ALVARADO ISD: PCT. 8, 10, 11, 22, 24, 25, 26, 27, 28, & 35**  
**Contracted Election with Johnson County/Separate Ballots 2 EV & 7 ED Location.**

<b>1. VOTING EQUIPMENT, TABULATION NOTICE, AND BUILDING RENTAL</b>	<b>Estimated</b>	<b>Actual</b>
(X) Rental M650 Optical Scanner .....	\$350.00	
(X) Rental ES&S Auto-Mark for HAVA Compliance. 7 @ 350.00 .....	\$2,450.00	
(X) Programming Charges/Coding/Media/ shipping for 650 Central count & Auto-marks .....	\$2,000.00	
(X) Printing Ballots/Layout/Spanish Coding/ shipping .....	\$4,000.00	
SC (X) Publish Notice of Tabulation test .....	\$125.00	
SC (X) Building Rental.....	\$0.00	
 <b>2. CENTRAL COUNT EXPENSES</b>		
SC (X) CC Station Manager.....	\$125.00	
SC (X) Tabulation Supervisor.....	\$150.00	
SC (X) Assistant Tabulation Supervisor.....	\$150.00	
SC (X) ENR Manager.....	\$100.00	
SC (X) ENR Assistant.....	\$75.00	
SC (X) ENR Assistant.....	\$75.00	
SC (X) CC Station Clerks 2 x \$12.00 x 5Hrs.....	\$120.00	
SC (X) Early Voting Ballot Board Judge 1 x \$15.00 x 15Hrs.....	\$225.00	
SC (X) Early Voting Ballot Board Personnel 5 x \$12.00 x 13Hrs.....	\$780.00	
SC (X) Provisional/Late Ballot Board Judge 1 x \$15.00 x 8Hrs.....	\$120.00	
SC (X) Provisional/Late Ballot Board Clerks 3 x \$12.00 x 8Hrs....	\$288.00	
SC (X) Security 1 x \$35.00 x 3Hrs.....	\$105.00	
 <b>3. ESTIMATED EARLY VOTING AND ELECTION DAY COSTS</b>		
(X) Judge's Kit Early Voting 2 @ \$40.00.....	\$80.00	
(X) Ballot by Mail ALS: 50 @ \$5.00 .....	\$250.00	
(X) Early Voting Judge @ 13.00 per hr for 85 hrs X 2 judge.....	\$2,210.00	
(X) Early Voting Clerks @ 11.00 per hr for 75 hrs X 6 clerks.....	\$4,950.00	
(X) Early Voting mileage reimbursement .....	\$100.00	
(X) Early Voting Pick up & delivery fee .....	\$50.00	

Exhibit C

(X) Judge's Kit Election Day 7@ \$40.00.....	\$280.00
(X) Election Day Judge @ 13.00 per hr for 16hrs X 7 judge.....	\$1,456.00
(X) Election Day Clerks @ 11.00 per hr for 13 hrs X 21 clerks.....	\$3,003.00
(X) Election Day Pick up & delivery fee .....	\$175.00
(X) Supplies, toner cartridges, red seals, & etc .....	\$800.00
Subtotal .....	\$24,592.00
(X) CONTRACT ADMINISTRATIVE FEE COST 10% of subtotal .....	\$2,459.20
<b>TOTAL COST ...</b>	<b>\$27,051.20</b>

**\* Per section: 7.01**

If the Election is canceled there will be a fee of \$75.00 to be paid by ISD within (30) days of said cancellation.